

Sixth Appellate District

San Jose, California

MONDAY, JUNE 10, 2002

H021890 MARRIAGE OF ROBINSON

H022401 MARRIAGE OF ROBINSON

With respect to appeal H021890, we find no abuse of discretion in the \$30,000 award of attorney fees relating to the fees incurred through the February 2000 hearing on permanent spousal support. However, we conclude the trial court abused its discretion in ascertaining wife's need for spousal support based on adult-child expenses. Hence, we reverse the order and remand the matter to the trial court to determine an appropriate permanent spousal support award that is not based on adult-child expenses.

On appeal H022401, we find no abuse of discretion in the orders awarding temporary spousal support in the amount of \$4,000 a month and expected attorney fees and costs in the amount of \$20,000 for the appeals. However, the record does not support an award for attorney fees and costs related to the post-trial motion in the amount of \$10,000. We reverse and remand the order with directions to the trial court to reduce the attorney fee award to \$6,630. The parties are to bear their own costs on appeal. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Rushing, J.)

Filed June 10, 2002

H022452 PEOPLE v. WRIGHT

The order granting defendant's motion for deferred entry of judgment is reversed. The matter is remanded to the trial court for sentencing and pronouncement of judgment. (published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed June 10, 2002

H023618 PEOPLE v. SUPERIOR COURT OF SANTA CRUZ COUNTY; ELIJIO H.

Let a peremptory writ of mandate issue which vacates respondent court's order finding Eljio H. a fit and proper subject to be dealt with under the juvenile court law, and to enter a new and different order finding Eljio H. unfit to be dealt with under the juvenile court law. Our temporary stay order shall remain in effect until this decision is final. (not published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed June 10, 2002

Sixth Appellate District

San Jose, California

Monday, June 10, 2002 (continued)

H023546 IN RE JUSTIN W., A MINOR

The order appealed from is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed June 10, 2002

H022963 PEOPLE v. COOPER

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed June 10, 2002

TUESDAY, JUNE 11, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Wunderlich, J.; and S. Nasson, Deputy Clerk.

H023439 PEOPLE v. RENE O.

Cause called and argued by James Duffy appearing for Appellant and by Dorian Jung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H023438 PEOPLE v. CESAR B.

Cause called and argued by Alexandra D'Italia appearing for Appellant and by Matthew Boyle, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021538 PEOPLE v. LITMON

Cause called and argued by Gerard Engelskirchen appearing for Appellant and by Moona Nandi, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021810 BRIX, et al. v. THORNHILL, et al.

Cause called and argued by James Toothman appearing for Appellants and by Robert Phillips, Steven Levy, Joseph Miller, and Alan Hamilton appearing for Respondents. Cause ordered submitted. Court is in recess.

H021894 PEOPLE v. VARGAS

By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: June 11, 2002

\*Before Premo, Acting P.J., Elia, J. and Mihara, J.

Sixth Appellate District

San Jose, California

Tuesday, June 11, 2002 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Wunderlich, J.; and Beth Miller, Deputy Clerk.

H023261 PEOPLE v. UBALDO B.

Cause called and argued by James W. Duffy appearing for Appellant and by Ann Wathen, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H023345 PEOPLE v. SUPERIOR COURT; RAMIREZ

Cause called and argued by Margo D. Smith, Deputy District Attorney, appearing for Petitioner and by Meredith Fahn appearing for Real Party in Interest. Cause ordered submitted.

H021932 STROMBOTNE LAW FIRM v. AUTOMATED SWITCHING & CONTROLS, INC., et al.

Cause called and argued by Alan L. Martini appearing for Appellants and by Mark Strombotne appearing for Respondent. Cause ordered submitted. Court adjourned.

WEDNESDAY, JUNE 12, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Mihara, J.; and W. Magsaysay, Deputy Clerk.

H020888 DVP TECHDOC v. FRADIN; GUTHMAN, et al.

Cause called and argued by Michael Ackerman appearing for Appellants and by Cheri MacArthur appearing for Respondent. Cause ordered submitted. Mihara, J. leaves the bench and Wunderlich, J. takes the bench.

H023501 IN RE MADISON M.

Cause called and argued by Maureen Keaney appearing for Appellant and by Irma Valencia, Deputy County Counsel, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Wednesday, June 12, 2002 (continued)

H022392 DOBSON, et al. v. HERSHBERGER, et al.

Cause called and argued by Raymond Cardozo appearing for Appellants and by Helen E. Williams appearing for Respondents. Cause ordered submitted. Court adjourns.

H023561 PEOPLE v. RANGER INSURANCE COMPANY

The order denying the motion to vacate forfeiture is affirmed. Ranger is to pay costs on appeal. (not published) (Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing, J.)

Filed June 12, 2002

THURSDAY, JUNE 13, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; Rushing, J.; and R. W. Norvelle, Deputy Clerk.

H022960 DFCS v. LACI G.

H023355 DFCS v. LACI G.

H023579 DFCS v. LACI G.

Cause called and argued by Caroline J. Todd appearing for Appellant, by Teri L. Robinson, Deputy County Counsel, appearing for Respondent, and by Robert L. Masterson, Deputy District Attorney, appearing for minor. Cause ordered submitted.

H023155 DUNLOP v. BECCIA

Cause called and argued by Kenneth R. Morris and Dennis Gayle appearing for Appellant and by Susan K. Blich appearing for Respondent. Cause ordered submitted.

H022466 MARRIAGE OF SPADAFORÉ

Cause called and argued by Robin Yeamans appearing for Appellant and by John K. Crowley appearing for Respondent. Cause ordered submitted. Court stands in recess.

Sixth Appellate District

San Jose, California

Thursday, June 13, 2002 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J.; Rushing, J.; and S. Nasson, Deputy Clerk.

H023029 BONO v. CLARK, As Executor

Cause called and argued by Ernest Miller appearing for Appellant and by William Clark appearing for Respondent. Cause ordered submitted. Wunderlich, J. leaves the bench. Mihara, J., takes the bench.

H022307 STOVER v. DEPARTMENT OF MOTOR VEHICLES

H022764 FURMAN v. DEPARTMENT OF MOTOR VEHICLES

H022800 VIERA v. DEPARTMENT OF MOTOR VEHICLES

H022976 CASTRO v. DEPARTMENT OF MOTOR VEHICLES

Cause called and argued by Nancy Beninati, Deputy Attorney General, and Shari Posner, Deputy Attorney General, appearing for Appellant and by Arthur Dudley appearing for Respondents. Cause ordered submitted.

H022288 DASHIELL v. DIVCOWEST GROUP, et al.

H022763 DASHIELL v. DIVCOWEST GROUP, et al.

Cause called and argued by Brian Van Vleck appearing for Appellants Divcowest Group and by Michael Reedy appearing for Appellant Dashiell. Cause ordered submitted. Court adjourns.

H022408 SCHLUMBERGER TECHNOLOGIES, INC. v. KLA-TENCOR CORP.

The judgment is reversed. Costs on appeal are awarded to appellant Schlumberger. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)  
Filed June 13, 2002

H022946 SANTA CRUZ HUMAN RESOURCES AGENCY v. PATRICIA M.

The juvenile court orders concerning William are reversed.  
(not published)  
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)  
Filed June 13, 2002

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Sixth Appellate District  
San Jose, California

FRIDAY, JUNE 14, 2002

H024358    SERGIO S. v. SUPERIOR COURT

The petition for extraordinary writ is denied. (not published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed June 14, 2002

H022788    HYLAND v. TEVINI

By the Court\*:

Appellant's petition for rehearing is granted.

Filed: June 14, 2002

\*Before Bamattre-Manoukian, Acting P.J., Mihara, J. and Rushing, J.